

Presented to the Court by the foreman of the  
Grand Jury in open Court, in the presence  
of the Grand Jury and FILED in the U.S.  
DISTRICT COURT at Seattle, Washington

June 23, 2021

WILLIAM M. McCOOL, Clerk

By  Deputy

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff

v.

CHUKWUEMEKA ONYEBBULA,  
a/k/a Phillip Carter,

Defendant.

NO. CR21-5214 BHS

INDICTMENT

The Grand Jury charges that:

**COUNT 1**  
**(Conspiracy to Commit Wire Fraud)**

**A. Overview**

1. These charges involve the participation of CHUKWUEMEKA ONYEBBULA, a/k/a Phillip Carter, in a conspiracy to use Americans' stolen personal identifying information (PII) to submit fraudulent claims for benefits intended for American workers and businesses suffering from the economic effects of the COVID-19 pandemic. As described herein, ONYEBBULA, a Nigerian national who is not entitled to collect unemployment benefits in the United States, submitted, and conspired with

1 others known and unknown to submit, at least 253 unemployment claims to the  
2 Washington Employment Security Department and other state workforce agencies, using  
3 the stolen identities of residents of Washington and other states.

4 2. Similarly, ONYEBGULA and his co-conspirators used stolen PII to submit  
5 fraudulent applications to the United States Small Business Administration (SBA)  
6 seeking funds authorized under the Economic Injury Disaster Loan (EIDL) program. In  
7 multiple instances, ONYEBGULA and his co-conspirators used the same stolen PII—  
8 including PII belonging to Washington residents—to submit both unemployment claims  
9 and EIDL applications.

10 3. By this conspiracy, ONYEBGULA and his co-conspirators caused state  
11 workforce agencies to pay out federal and other unemployment benefits of at least  
12 approximately \$300,000 and caused SBA to disburse EIDL proceeds of at least  
13 approximately \$50,000.

14 **B. Background**

15 4. *CARES Act Unemployment Benefits*: On March 27, 2020, the United  
16 States enacted into law the Coronavirus Aid, Relief, and Economic Security (CARES)  
17 Act. The CARES Act authorized approximately \$2 trillion in aid to American workers,  
18 families, and businesses to mitigate the economic consequences of the COVID-19  
19 pandemic. The CARES Act funded and authorized each state to administer new  
20 unemployment benefits. These benefits include: (1) Federal Pandemic Unemployment  
21 Compensation, which provided a benefit of \$600 per week per unemployed worker in  
22 addition to existing benefits; (2) Pandemic Unemployment Assistance, which extends  
23 benefits to self-employed persons, independent contractors, and others; and (3) Pandemic  
24 Emergency Unemployment Assistance, which extends benefits for an additional 13  
25 weeks after regular unemployment benefits are exhausted.

26 5. CARES Act unemployment benefits are funded by the United States  
27 government through the Department of Labor and administered at the state level by state  
28



1 agencies known as state workforce agencies (SWAs). The Washington Employment  
2 Security Department (ESD) is the SWA for the State of Washington.  
3 Applicants can apply online for ESD-administered benefits by accessing Washington's  
4 SecureAccess Washington (SAW) web identity validation portal and ESD's  
5 Unemployment Tax and Benefit (UTAB) online application system.

6 6. Before submitting an application to ESD, the applicant must establish a  
7 SAW account. As part of this process, the applicant must provide the SAW system with  
8 an email address. The SAW system then sends, by interstate wire communication  
9 originating in Olympia, Washington, an activation email to the email address provided.  
10 The user must then click on a link within the email to activate his or her account. This  
11 process causes a series of wire transmissions originating at the user's location and  
12 terminating in Olympia, Washington.

13 7. After activating the SAW account, the user may proceed to ESD's UTAB  
14 application system. To file a claim, the applicant enters his or her PII, to include name,  
15 date of birth, and Social Security number. If ESD confirms that the information matches  
16 the PII of a person in ESD's records, ESD will pay out benefits via wire (ACH) transfer  
17 to a bank or other financial account identified by the applicant. Other SWAs accept and  
18 process claims following similar procedures.

19 8. ***The Economic Injury Disaster Loan Program:*** The Economic Injury  
20 Disaster Loan (EIDL) program is administered by the United States Small Business  
21 Administration (SBA). EIDL provides low-interest financing to small businesses and  
22 non-profit organizations in regions affected by declared disasters. The CARES Act  
23 authorized the SBA to provide EIDLs of up to \$2 million to eligible small businesses  
24 experiencing substantial financial disruption due to the COVID-19 pandemic.

25 9. A qualifying business applying for an EIDL must submit an application to  
26 the SBA and provide information about its operations, such as the number of employees,  
27 gross revenues for the 12-month period preceding the disaster, and cost of goods sold in  
28

1 the 12-month period preceding the disaster. The applicant must also certify that all of the  
2 information in the application is true and correct to the best of the applicant's knowledge.

3 10. Applicants submit EIDL applications directly to the SBA for processing.  
4 SBA directly disburses funds issued under an EIDL to an account identified by the  
5 applicant. EIDL funds can be used for payroll expenses, sick leave, production costs, and  
6 business obligations, such as debts, rent, and mortgage payments.

7 11. **Disaster Declarations:** CARES Act unemployment benefits and EIDLs  
8 related to COVID-19 relief are authorized, transferred, disbursed, and paid in connection  
9 with a nationwide emergency declared by Presidential Proclamation 9994 (effective as of  
10 March 1, 2020) and a Presidential declaration of a major disaster for the State of  
11 Washington concerning the COVID-19 pandemic that was issued on March 22, 2020.

12 **C. The Conspiracy**

13 12. Beginning at a time unknown, but no later than April 20, 2020, and  
14 continuing through at least February 21, 2021, at Olympia, within the Western District of  
15 Washington, and elsewhere, CHUKWUEMEKA ONYEBBULA, a/k/a Phillip Carter,  
16 and others known and unknown to the Grand Jury, did conspire, confederate and agree,  
17 together and with each other, to commit the offense of wire fraud in violation of Title 18,  
18 United States Code, Section 1343. That is, CHUKWUEMEKA ONYEBBULA, together  
19 with others known and unknown, with intend to defraud, knowingly devised a scheme  
20 and artifice to defraud, and to obtain money and property, by means of materially false  
21 and fraudulent pretenses, representations, and promises. To execute and attempt to  
22 execute the scheme and artifice to defraud, CHUKWUEMEKA ONYEBBULA, together  
23 with others known and unknown, knowingly transmitted, and caused to be transmitted,  
24 by wire communication in interstate and foreign commerce, writings, signs, signals,  
25 pictures, and sounds.

26 13. The object of the conspiracy was to use the stolen PII of residents of the  
27 United States to fraudulently obtain federally-funded benefits, namely, pandemic-related



1 unemployment benefits administered by SWAs, including ESD, as well as EIDL funds  
2 administered by the SBA.

3 **D. Manner and Means**

4 The following conduct was part of the conspiracy:

5 14. ONYEBBULA and his co-conspirators unlawfully obtained and possessed  
6 the stolen PII, to include names, dates of birth, and Social Security numbers, of residents  
7 of Washington and other states.

8 15. ONYEBBULA and his co-conspirators created email accounts, including a  
9 Google-administered account with the address "phillipcarter002@gmail.com," for the  
10 purpose of participating in fraudulent transactions while obscuring their identities.

11 16. ONYEBBULA and his co-conspirators, using foreign and interstate wire  
12 transmissions, accessed ESD's SAW portal, as well as similar portals of other SWAs,  
13 including the SWAs for the states of Arizona, California, Colorado, Illinois, Indiana,  
14 Kansas, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nevada, Ohio, Rhode  
15 Island, Texas, and Wisconsin.

16 17. To establish SAW accounts, ONYEBBULA and his co-conspirators  
17 provided the phillipcarter002@gmail.com email address to ESD and other SWAs as the  
18 designated email addresses to receive activation emails from the SWAs to activate SAW  
19 and other online application accounts. Each time ONYEBBULA or a co-conspirator  
20 input this email address into the SAW system, an activation email was sent to the  
21 phillipcarter002@gmail.com email account. In the case of emails from ESD, each of  
22 these emails was sent via an interstate wire transmission originating from the State Data  
23 Center in Olympia, Washington and passing through a Google data center outside the  
24 state of Washington.

25 18. To prevent ESD and other SWAs from recognizing that the same email  
26 account was being used to file multiple claims, ONYEBBULA and his co-conspirators  
27 used dozens of variants of the email addresses by placing periods at different locations  
28

1 within the email address for each claim. For example, ONYEBGULA and his co-  
2 conspirators opened SAW accounts and submitted claims using the variants  
3 phil.lip.carter002@gmail.com, p.hillip.carter002@gmail.com, and  
4 phillip.carter002@gmail.com. In routing emails to a Gmail account, Google disregards  
5 periods within the email address, e.g., "john.doe@gmail.com" is routed to the same  
6 account as "johndoe@gmail.com." As a result, Google delivered all of these emails (and  
7 any similar "dot variants" of the same address) to the phillipcarter002@gmail.com  
8 account. By using variants of the same account, ONYEBGULA and his co-conspirators  
9 were able to file multiple claims using the same email account, without ESD or other  
10 SWAs detecting that they were doing so.

11 19. After establishing SAW accounts with ESD, ONYEBGULA and his co-  
12 conspirators used the SAW accounts to access ESD's UTAB website. ONYEBGULA  
13 and his co-conspirators then filed fraudulent claims for CARES Act unemployment  
14 benefits using the stolen PII of Washington residents. ONYEBGULA and his co-  
15 conspirators similarly used the stolen PII of residents of other states to submit claims to  
16 the SWAs for those respective states using those states' online application systems.

17 20. ONYEBGULA and his co-conspirators accessed the COVID-19 Economic  
18 Injury Disaster Loan (EIDL) page on SBA's website and submitted applications for  
19 EIDLs using the stolen PII of residents of Washington and other states. ONYEBGULA  
20 and his co-conspirators provided variants of the phillipcarter002@gmail.com account as  
21 the contact email address for the claims.

22 21. ONYEBGULA and his co-conspirators directed that the unemployment  
23 benefits and EIDL payments be paid to bank or other financial accounts under the direct  
24 or indirect control of ONYEBGULA and his co-conspirators. ONYEBGULA and his co-  
25 conspirators then directed that the funds be withdrawn and ultimately transferred to  
26 ONYEBGULA and his co-conspirators.



22. The wire fraud that was the object of this conspiracy occurred in relation to, and involved, benefit payments authorized, transmitted, transferred, disbursed, and paid in connection with the presidentially-declared major disaster and emergency described in Paragraph 11 of this Indictment.

All in violation of Title 18, United States Code, Section 1349.

**COUNTS 2-10**  
**(Wire Fraud)**

23. The Grand Jury incorporates by reference Paragraphs 1-22 of this Indictment as if fully set forth herein.

24. Beginning at a time unknown, but no later than April 20, 2020, and continuing through at least February 21, 2021, at Olympia, within the Western District of Washington, and elsewhere, CHUKWUEMEKA ONYEBULA, a/k/a Phillip Carter, and others known and unknown to the Grand Jury, with intent to defraud, knowingly devised a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, as further described below.

25. The essence of the scheme and artifice to defraud was to use the stolen PII of residents of the United States to fraudulently obtain federally-funded benefits, including pandemic-related unemployment benefits administered by SWAs, including ESD, as well as EIDL funds administered by the SBA.

26. The manner and means of the scheme and artifice to defraud included the conduct set forth in Paragraphs 14 through 21 of Count 1.

27. On or about the dates and times set forth below, at Olympia, within the Western District of Washington and elsewhere, for the purpose of executing and attempting to execute this scheme and artifice to defraud, CHUKWUEMEKA ONYEGBULA, and others known and unknown to the Grand Jury, aiding and abetting each other, did knowingly transmit and cause to be transmitted by wire communication in

interstate and foreign commerce, writings, signs, signals, pictures and sounds, each transmission of which constitutes a separate count of this Indictment. Each of the following offenses was committed in furtherance of, and was a foreseeable part of, the conspiracy charged in Count 1 of this Indictment.

Count	Date and Time (PDT)	Wire Transmission
2	5/12/2020 at 14:14	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
3	5/16/2020 at 14:55	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
4	5/16/2020 at 15:57	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
5	5/17/2020 at 00:17	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
6	5/17/2020 at 00:56	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
7	5/17/2020 at 01:10	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
8	5/17/2020 at 01:22	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
9	5/17/2020 at 01:57	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington
10	5/17/2020 at 03:21	Account activation email from the State Data Center in Olympia, Washington to the email account phillipcarter002@gmail.com via a Google server outside of Washington

The Grand Jury further alleges that each of these violations occurred in relation to, and involved, benefit payments authorized, transmitted, transferred, disbursed, and paid



1 in connection with a presidentially-declared major disaster and emergency.

2 All in violation of Title 18, United States Code, Sections 1343 and 2.

3 **COUNTS 11-15**  
4 **(Aggravated Identity Theft)**

5 28. Paragraphs 1 through 27 of Counts 1-10 are realleged and incorporated as if  
6 fully set forth herein.

7 29. On or about the dates set forth below, at Olympia, within the Western  
8 District of Washington, and elsewhere, CHUKWUEMEKA ONYEGBULA, a/k/a Phillip  
9 Carter, knowingly transferred, possessed, and used, without lawful authority, means of  
10 identification of other persons, and did aid and abet the same, in that ONYEGBULA  
11 submitted claims to the Washington Employment Security Department using the names,  
12 dates of birth, and Social Security numbers, of the persons with the initials listed below,  
13 during and in relation to a felony listed in Title 18, United States Code, Section  
14 1028A(c), to wit, conspiracy to commit wire fraud in violation of Title 18, United States  
15 Code, Section 1349, and wire fraud in violation of Title 18, United States Code, Section  
16 1343.

Count	Date	Initials of Victim
11	May 13, 2020	N.L.
12	May 13, 2020	C.E.
13	May 14, 2020	A.A.
14	May 14, 2020	S.H.
15	May 14, 2020	S.M

22 All in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

23 //

24 //

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8

**Substitute Assets.** If any of the property described above, as a result of any act or omission of the defendant:

- it is the intent of the United States to seek the forfeiture of any other property of the

//



1 defendant, up to the value of the above-described forfeitable property, pursuant to Title  
2 21, United States Code, Section 853(p).

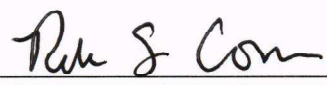
4 A TRUE BILL:

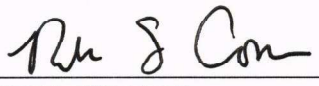
5 DATED: 6/23/2021

6  
7 *[Signature of Foreperson redacted pursuant*  
8 *to the policy of the Judicial Conference of*  
9 *the United States]*

10 FOREPERSON

11   
12 TESSA M. GORMAN  
13 Acting United States Attorney

14   
15 ANDREW C. FRIEDMAN  
16 Assistant United States Attorney

17   
18 CINDY CHANG  
19 Assistant United States Attorney

20   
21 SETH WILKINSON  
22 Assistant United States Attorney